

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Document #

8

U.S.C.A. #

U.S.D.C. # 07-cv-11258

JUDGE:

KMW

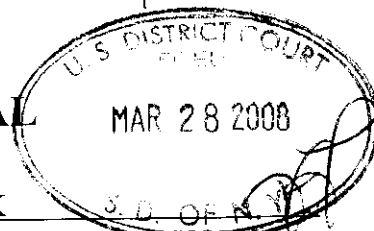
DATE:

MAR. 28, 2008

*Jimenez*  
-v-

*U.S. Attorney*

INDEX TO THE RECORD ON APPEAL



PREPARED BY (NAME): THOMAS R. PISARCZYK  
FIRM: U.S. DISTRICT COURT - SOUTHERN DISTRICT OF NEW YORK  
ADDRESS: 500 PEARL STREET, ROOM 370  
NEW YORK, NEW YORK 10007  
PHONE NO.: (212) 805 - 0636

DISTRICT COURT DOCKET ENTRIES

DOCUMENT DESCRIPTION

DOC. #

CLERK'S CERTIFICATE

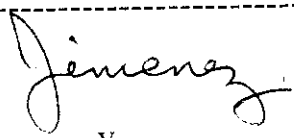
SEE ATTACHED LIST OF NUMBERED DOCUMENTS

(X) Original Record

( ) Supplemental Record

The record in the above entitled case was indexed to the U.S.C.A.  
for the Second Circuit on the 28th Day of March, 2008.

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----  
  
-v-  
US. Attorney  
-----

U.S.C.A. # \_\_\_\_\_

U.S.D.C. # 07-cv-11258

JUDGE: KMW

DATE: MAR. 28, 2008

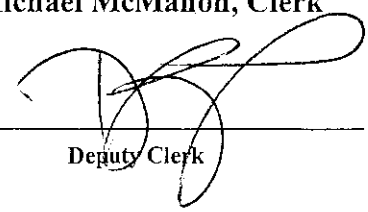
**Clerk's Certificate**

I, J. Michael McMahon, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified copy of the docket entries and the original filed papers numbered \_\_\_\_\_ Through \_\_\_\_\_, inclusive, constitutes the Original record on appeal in the above entitled proceedings except for the following missing documents:

<u>Date Filed</u>	<u>Document Description</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York, this 28th Day of March In this year of our Lord, Two Thousand and Eight, and the Independence of the United States this 232<sup>ND</sup> year.

**J. Michael McMahon, Clerk**

By   
Deputy Clerk

APPEAL, CLOSED

**U.S. District Court**  
**United States District Court for the Southern District of New York (Foley Square)**  
**CIVIL DOCKET FOR CASE #: 1:07-cv-11258-KMW**  
**Internal Use Only**

Jimenez v. U.S. Attorney  
Assigned to: Judge Kimba M. Wood  
Cause: 28:1361 Petition for Writ of Mandamus

Date Filed: 12/14/2007  
Date Terminated: 12/14/2007  
Jury Demand: None  
Nature of Suit: 540 Mandamus & Other  
Jurisdiction: Federal Question

Date Filed	#	Docket Text
12/14/2007	<u>1</u>	DECLARATION IN SUPPORT OF REQUEST TO PROCEED IN FORMA PAUPERIS. Document filed by Luis A. Jimenez.(mbe) (Entered: 12/18/2007)
12/14/2007	<u>2</u>	PETITION IN THE NATURE OF MANDAMUS against U.S. Attorney. Document filed by Luis A. Jimenez.(mbe) (Entered: 12/18/2007)
12/14/2007		Magistrate Judge Andrew J. Peck is so designated. (mbe) (Entered: 12/18/2007)
12/14/2007	<u>3</u>	ORDER OF DISMISSAL. Accordingly, the writ of mandamus, filed in forma pauperis under 28 U.S.C. 1915(a) is dismissed for failure to state a claim on which relief may be granted. 28 U.S.C. 1915(e)(2)(B)(ii). The court certifies pursuant to 28 U.S.C. 1915(a)(3) that any appeal from this order would not be taken in good faith. (Signed by Judge Kimba M. Wood on 12/14/2007) (mbe) (Entered: 12/18/2007)
12/14/2007	<u>4</u>	JUDGMENT. Ordered, Adjudged and Decreed: That the writ for mandamus be and is hereby dismissed. The Court certifies pursuant to 28 U.S.C. 1915(a)(3) that any appeal from the Court's order would not be taken in good faith. (Signed by Judge Kimba M. Wood on 12/14/2007) (mbe) (Entered: 12/18/2007)
01/03/2008	<u>5</u>	MOTION to Alter or Amend Order; and MOTION to make additional findings of fact. Document filed by Luis A. Jimenez.(dje) (Entered: 01/09/2008)
01/31/2008	<u>6</u>	ORDER that it is well-settled that reconsideration may be granted only in extraordinary circumstances and such decisions are within the Court's discretion. Cole, 2006WL2095711, Rosa, 2004 WL 1071143, Parrish, 253 F. Supp. 2d at 715. The instant motion does not warrant the exercise of this Court's sound discretion. Accordingly, the motion is denied. No further filings will be accepted in this case except those directed to the Court of Appeals for the Second Circuit. The Court certifies that pursuant to 28 U.S.C. 1915(a)(3), any appeal from this order would not be taken in good faith. See Coppedge v. United States, 369 U.S. 438, 444-45 (1962). (Signed by Judge Kimba M. Wood on 1/31/08) (dle) (Entered: 02/01/2008)
03/21/2008	<u>7</u>	NOTICE OF APPEAL from <u>3</u> Order Dismissing Petition, <u>4</u> Judgment - Sua Sponte (Petition), <u>6</u> Order on Motion to Amend/Correct, Order on Motion for Miscellaneous Relief. Document filed by Luis A. Jimenez. Copies sent to attorney(s) of record: A.U.S.A. (tp) (Entered: 03/28/2008)
03/21/2008		Appeal Remark as to <u>7</u> Notice of Appeal, filed by Luis A. Jimenez. \$455.00 APPEAL FEE DUE. IFP REVOKED 1/31/08. (tp) (Entered: 03/28/2008)
03/28/2008		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: <u>7</u> Notice of Appeal. (tp) (Entered: 03/28/2008)
03/28/2008		Transmission of Notice of Appeal to the District Judge re: <u>7</u> Notice of Appeal. (tp) (Entered: 03/28/2008)